

**H.B. 843 Kentucky Commission on Services and Supports for Individuals
With Mental Illness, Alcohol and Other Drug Abuse Disorders, and Dual Diagnosis
November 18, 2002 Meeting Minutes
Capital Annex Room 131
Frankfort, Kentucky**

Commission Members Present: Representative Mary Lou Marzian, Commissioner Margaret Pennington, Rickie Gale Dublin, Wanda Bolze, Bernie Block, Kim Allen, Director Maureen Fitzgerald, William Heffron, Rick Purvis, Jerry Whitley, Angela Wilkins, Representative Bob Damron, Senator Charlie Borders, Karen Quinn, Larry Carrico, Robin Fowler, Sandy Goodlett, David Hanna.

WELCOME

- Co-Chair Representative Marzian called the meeting to order and made brief introductory remarks. A motion was passed to approve the minutes from the August 26th meeting.

ACQUIRED BRAIN INJURY TASK FORCE RECOMMENDATIONS

Scott Furkin presented the draft recommendations of the Legislative Task Force on Services and Supports for Individuals with Acquired Brain Injuries. Mr. Furkin gave brief background information on this task force. The task force was charged with studying existing programs, suggesting ways to increase access and eliminate barriers to services, proposing new strategies for crisis stabilization, decriminalization, specialized evaluation and treatment, and recommending methods to enhance education, vocational training, and employment for people with brain injuries. He recommended re-establishing the task force to further study these items effectively. Mr. Furkin presented draft recommendations outlined in the members' meeting packet, which include steps to reach the goals outlined above. The full report is available by calling the LRC Office. Representative Marzian emphasized the need for data in order to plan for the future of these types of services.

ADVANCED MENTAL HEALTH DIRECTIVES

Dr. Sheila Schuster and Carolyn Kates-Glass presented two documents to the Commission members. The first is was a grid outlining the issues relating to this initiative, along with the considerations and recommendations pertaining to each issue. The second document is a draft of the form to be completed by a consumer specifying their surrogate/alternate and treatment preferences. Dr. Schuster outlined the recommendations and related issues included in the grid. She asked the members for feedback, and adoption of the recommendations outlined in the grid. There was discussion, and a motion was passed to accept the recommendations with the caveat that there is much more work to be done before a bill can be drafted.

Quality Assurance

Steve Shannon presented two issues to the Commission. The first issue is the Consumer Grievance Procedure. He referred to a document in the members' packet that included grievance policy recommendations and guidelines for providers to use in developing their own grievance process, and to educate consumers of their rights. He summarized these recommendations for Commission members.

The second issue is deemed status. The recommendation is that when a hospital has national accreditation, license and regulation is not required to visit that facility. They are not prohibited from visiting by any means, but are also not required to visit.

HB 843 Extension

Representative Marzian explained that HB 843 Commission is supposed to sunset next year. Since there has been such a positive response to their work, this would remove that sunset clause so that the Commission can keep working. A motion was passed for the re-authorization of the continuation of the Commission. Bernie Block asked the members that suggested guidelines be set for the Regional Planning Councils as well. This would give them guidance for policies and procedures for their regional group.

Criminal Justice/Behavioral Health – Actions of the Jail Standards Committee

Kim Allen reported that the recommendations relating to the jail mental health training, approved by the HB 843 Commission, were presented to the Jail Standards Review Advisory Commission on August 28th, and were approved on September 24th. She reported that these actions would lead to the success of institutionalizing the training in the future. She reported on the discussion of the issues relating to the recommendations.

Ms. Allen reported that she had a discussion with Teresa Barton, Franklin County Judge Executive, regarding the need to focus on cross-system training at the local level. This would include law enforcement personnel, probation and parole personnel, court personnel, judges, prosecutors, and defenders, among others. Ms. Allen has drafted a letter to her offering the support and assistance of the workgroup to help facilitate that process on the local level.

She reported that there are two issues with potential legislative implications that have been brought to the workgroup for study. These are outpatient civil commitment, and the evaluation of individuals under the influence of substances. This will be a long-term process, and it is anticipated that recommendations would be presented to the full Commission in the summer of 2004. They also plan to initiate a smaller workgroup to study juvenile mental health issues, in coordination with the Children's Workgroup. The next meeting of the workgroup is scheduled for Dec. 9th at 1:30 p.m.

Collaboration of Community Mental Health Centers/Criminal Justice Facilities for MH Services

At the last HB 843 Commission meeting, members requested presentations regarding successful relationships between the Community Mental Health Centers and their local county jails. There is a wide disparity in the types of relationships around the state regarding the range of mental health services and staff made available to provide those services. Representatives from the McCracken County and Christian County jails made presentations regarding the relationships in their respective areas.

Christian County

John Walker, Associate Executive Director of the Pennyroyal Mental Health Center briefly addressed the members regarding the informal arrangement in his area that has been in effect for a number of years. He introduced Livy Level, the Christian County Jailer. He reported that the relationship with the CMHC is very positive, and very important. The CMHC provides emergency and routine treatment for the inmates. Emergency treatment occurs if inmates are evaluated at intake regarding their risk of harm to themselves or others, and appear to be suffering from obvious mental disorder. The jail medical staff notifies the CMHC, who immediately comes to the jail to evaluate the inmate to determine what type treatment is appropriate, including medication and hospitalization. This service is provided 24 hours a day, seven days a week at no cost. Routine treatment in daily operation is provided at the expense of the jail. A psychiatrist and a RN from the CMHC are scheduled weekly to provide treatment to the inmates. This averages about 15-20 inmates per visit. Even though there is no actual contract, the costs and details have been agreed upon. He reported that the relationship is very important to the safe, secure operation of the jail.

McCracken County

Allison Ogden from Four Rivers Behavioral Health in Paducah, which serves the 9 western-most counties in Kentucky, reported on their relationship with the jails in their region. She reported that since 1997, memorandums of agreement have existed between the CMHC and the jails. The first agreement was with McCracken County Jail. Currently, the CMHC provides 40 hours of on-site services per week. This includes a LCSW at the facility 3 days per week for 24 hours. Also, there are two substance abuse professionals at the facility for 16 hours per week each. Emergency services are available 24 hours per day, 7 days per week. The psychiatric services are available through the CMHC, but the jail staff must transport the inmates in order to receive those services as part of the CMHC's regular outpatient services. The agreement specifies that the jail pays the CMHC a fee to provide ongoing services regarding mental health and substance abuse. The CMHC provides services to 7 of the 9 county jails, and two regional jails. She reported that the relationship is extremely positive in all aspects. These services provide much needed services to the jail, and provides for a more secure environment as well.

Representative Marzian asked if there was any data available to compare jails that have these types of services compared to the jails that don't have them available. Rita Ruggles reported that there is reporting of suicides and suicide attempts that will speak, to some

degree, about the need for services in these facilities. Also, the money appropriated in the Governor's spending plan for mental health training for jailers will result in data collection. The training of trainers has begun, and the CMHCs will report on the number of trainings provided, the number of staff trained, the number of calls they receive from jails for consultation, and the number of working agreements they have with the jails. Representative Marzian added that from a budget perspective, it would be beneficial to measure outcomes of the training. Rita Ruggles mentioned that staff from the Courier-Journal attended one of the training of trainers. There will be an article in the Courier-Journal about this training. Representative Marzian asked that copies of this article be sent to Commission members.

Children's Initiatives

Chris Cecil and Betty Weaver reported to the members about the activities of the Children's Workgroup. He referred members to a document in their packet entitled "Charge to the Children's Workgroup" and briefly touched on some of the highlights. He reviewed the charge to the workgroup and the recommendations. The work has been divided into four areas, with a smaller workgroup formed for each. The areas are 1) continuum of care, 2) access to care, 3) priority unmet needs, and 4) enumeration of public money spent for children's behavioral health services. Mr. Cecil summarized each area, and reported on some of the findings of the workgroups. He emphasized the need for substance abuse and school-based services for youth. He briefly outlined the next steps for the Children's Workgroup to the Commission members. The document also includes a listing of workgroup members and their contact information.

Media Strategy

Commissioner Pennington reported that Gil Lawson was not able to attend today, but she reported that a draft has been prepared and will be available for use by the Regional Planning Councils. The draft gives an opportunity for each region to individualize the piece, outline their successes and ongoing work. Once approved by Secretary Morgan, the draft will be distributed to the Executive Directors of the CMHCs. They will then share it with their Regional Planning Council Chairs, who will individualize the report, and share it with their local paper. It is the hope that this draft will result in fourteen different stories that pertain to each region, outlining the specific work that has been done for their population.

Transportation

The Transportation Workgroup has not been formally launched. Commissioner Pennington reported that she would work to convene workgroup with appropriate representation. A proposal for this workgroup will be presented at the next Commission meeting.

Housing

A letter has been prepared for the co-chairs' signature that expresses the HB 843 Commission's support for the Housing Tax Credit Allocation Plan will be out for public comment, ask that the same number of points be given to projects for special populations as they give for elderly. There is a new process within the Kentucky Housing Corporation where you can come in and get funding at any time. There will be a group of outside entities to comment on that process before that happens. The workgroup is asking that representative from HB 843 sit on that body. A motion was passed to approve and sign the letter.

Next Steps

The next meeting will be held January 27, 2002 in Frankfort.

With no further business, the meeting was adjourned.